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7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

9
10 GERVACIO AND ROSA MARTINEZ,) Case No.: C 05-03904 JW
11 Plaintiff,)
12 vs.) STIPULATION AND ORDER TO EXTEND
13 WERNER CO., et al.,) CASE MANAGEMENT CONFERENCE
14 Defendants.)
15 _____)

16 IT IS HEREBY STIPULATED AND AGREED by and between all
17 parties in the above-entitled action, by their respective counsel,
18 that the Case Management Conference presently set for May 21, 2007
19 be continued 30 days based upon the fact that the Bankruptcy Court
20 has not made a determination on the agreement entered into between
21 Werner Company and Home Depot, USA, Inc.

22 DATED: May 18, 2007

THE BOCCARDO LAW FIRM LLP

23 BY: _____/S/_____

24 JOHN C. STEIN

25 Attorneys for Plaintiff(s)

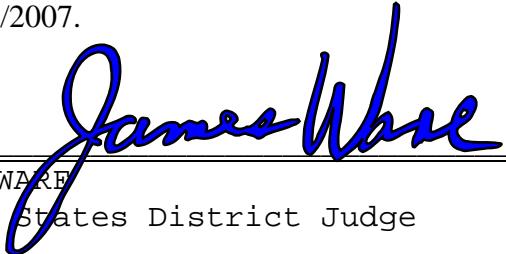
1 DATED: 5/18/07

SHAW, TERHAR & LaMONTAGNE LLP

3 /S/
4 Michael J. Terhar
5 Attorneys for Defendant

6 IT IS SO ORDERED:
7 DATED: May 18 2007

The Case Management Conference is continued to 6/25/2007 at
10:00 AM. The parties shall file a Joint Case Management
Statement by 6/15/2007.

8 
9 JAMES WARE
10 United States District Judge